



Docket No. 50184

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mori et al.
Serial No. 08/876,613 Examiner: J. Chu
Filed: October 7, 1996 Art Unit: 1752
For: DYED PHOTORESISTS AND METHODS AND ARTICLES OF
MANUFACTURE COMPRISING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR DECLARATION OF INTERFERENCE

In accordance with the recommendation set forth in the Office Action dated October 17, 2003 of the above-identified application, Applicants request a Declaration of Interference between Claims 1, 4-9, 18-20, 22, 23, 25, 26, 47, 50-56, 58, 59, 60-66, 68 and 69 of the above-identified application and Claims 1-4 of U.S. Patent 6,136,498, copy enclosed.

Pursuant to 37 CFR 1.607, Applicants note the following:

1. The patent with which an interference is requested is U.S. Patent No. 6,136,498.
2. As a proposed Count, Applicants first presents the following Count A:

Count A. A photoresist that comprises a resin binder, a photoacid generator compound and a polymeric dye that contains one or more polycyclic chromophores, said dye compound being a polymer wherein the polymer has a weight average molecular weight of at least about 5,000.

Applicants' claim 22 corresponds to the above proposed Count A. However, U.S. Patent 6,136,498 nowhere discloses "polycyclic chromophores". Accordingly, Applicants also propose the alternative following Count B:

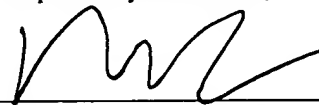
Count B. A photoresist composition comprising a polymer binder, a photoactive component and a dye compound that contains anthracene groups, said dye compound being a polymer wherein the polymer has a weight average molecular weight of at least about 5,000.

Applicants' claim 1 corresponds to the above proposed Count B. Claim 2 of U.S. Patent 6,136,498 may be considered as corresponding to the proposed Count B, although U.S. Patent 6,136,498 does not disclose *inter alia* a weight average molecular weight of at least 5,000 as recited in the above count and in Applicants' claims.

3. The requirements of 35 U.S.C. 135(b) are met because *inter alia* Applicants' independent claims 1 and 22 were pending in their present form prior to the issuance of U.S. Patent 6,136,498.

Appropriate action is respectfully requested.

Respectfully submitted,



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08/726,613

1752

Practitioner's ~~Serial~~ No. 50184

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mori et al.

Serial No.: ~~08/726,613~~

Group No.: 1752

Filed: October 7, 1996

Examiner: J. Chu

For: DYED PHOTORESISTS AND METHODS AND ARTICLES OF
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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is
- ☐ a small entity. A statement:
 - ☐ is attached.
 - ☐ was already filed.
 - ☒ other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period."

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

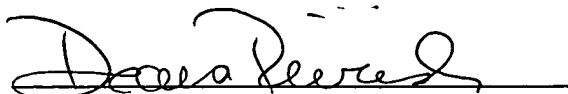
I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-14501.

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office.


Signature

Date: 1/21/04

Deanna M. Rivernider
(type or print name of person certifying)

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings, and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$420.00	\$210.00
<input type="checkbox"/>	three months	\$950.00	\$475.00
<input type="checkbox"/>	four months	\$1,480.00	\$1,005.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) (Col. 2) (Col. 3) SMALL ENTITY					OTHER THAN A SMALL ENTITY			
Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	* Minus	**	=	x \$9 =	\$		x \$18 =	\$
Indep.	* Minus	***	= 0	x \$39 =	\$		x \$78 =	\$ 0
[] First Presentation of Multiple Dependent Claim				+ \$130 =	\$		+ \$260 =	\$ 0
					Total Addit. Fee	OR	Total Addit. Fee	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ _____.

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____.
- ☐ Charge Account No. _____ the sum of \$ _____.
- A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

☒ If any additional fee for claims is required, charge Account No. 04-1105.



SIGNATURE OF PRACTITIONER

Reg. No. 33,860

Peter F. Corless

(type or print name of practitioner)

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